1 2 3 4 5 6 7	KASOWITZ, BENSON, TORRES & FRIEDMA William M. Goodman (SBN 61305) Christopher J. McNamara (SBN 209205) 101 California Street, Suite 2050 San Francisco, CA 94111 Telephone: (415) 421-6140 Facsimile: (415) 398-5030 E-mail: wgoodman@kasowitz.com E-mail: cmcnamara@kasowitz.com Counsel for Plaintiffs DSU Aviation, LLC, and David Utterberg and Nayda Utterberg	AN, LLP	
8	UNITED DIST	TRICT COURT	
9	FOR THE NORTHERN DISTRICT OF CALIFORNIA		
10	TORTHERIORIERICE		
11	DCH AVIATION LLC a Washington Limited	Case No: C 07-cv-01478-SC	
12	DSU AVIATION, LLC, a Washington Limited Liability Company, and DAVID UTTERBERG		
13	and NAYDA UTTERBERG, as individuals and on behalf of their marital community,	STIPULATION AND [PROPOSED] ORDER TO EXTEND THE DEADLINE FOR CONDUCTING EARLY NEUTRAL	
14	Plaintiffs,	EVALAUATION	
15	vs.		
16 17	PCMT AVIATION, a California Limited Liability Company n/k/a XOJet, Inc., PAUL TOUW, an individual, and WILL		
18	LANGMANN, an individual,		
19	Defendants.		
20			
21	STIPULATION		
22	Whereas, this action, which was initially filed by Plaintiffs in the United States District		
23	Court for the Western District of Washington, was transferred from the Western District of		
24	Washington to the Northern District of California;		
25	Whereas, on July 30, 2007 the case was r	eferred to Early Neutral Evaluation ("ENE")	
26	and the parties were given 90 days to hold the ENE session, which 90 days expires on October		
27	29, 2007;		
28	Whereas, on August 6, 2007, Plaintiffs filed a Second Amended Complaint;		

Case 3:07-cv-01478-SC Document 37 Filed 10/18/07 Page 2 of 3

1	Whereas, on August 27, 2007, Defendants filed a motion to dismiss Plaintiffs' Second			
2	Amended Complaint, which is scheduled to be heard on November 2, 2007;			
3	Whereas, the parties were first notified that a neutral evaluator had been appointed on			
4	4 October 12, 2007, only 17 days before the current deadline for conducti	October 12, 2007, only 17 days before the current deadline for conducting the ENE session; and		
5	Whereas, the parties believe that the ENE session will be more productive if it is held			
6	after the Court rules on Defendants' motion to dismiss;			
7	THEREFORE THE PARTIES STIPULATE AND AGREE THAT the deadline for			
8	completing the ENE session shall be extended from October 29, 2007 to December 31, 2007.			
9	9			
10	DATED: October 15, 2007 KASOWITZ, BENSON, TORRE	S & FRIEDMAN, LLP		
11	11			
12	By. <u>757 Christopher 3. Wertamin</u>			
13	CHRISTOPHER J. MCNA Counsel for Plaintiffs	AMARA		
14	14 DATED: October 15, 2007 MORGAN, LEWIS & BOCKIUS	, LLP		
15	15			
16				
17	By: /S/ Jami Wintz McKeon JAMI WINTZ MCKEON Counsel for Defendants			
18	18 Counsel for Defendants			
19	19 [PROPOSED] ORDER	[PROPOSED] ORDER		
20	PURSUANT TO STIPULATION, IT IS HEREBY ORDERED THAT the deadline for			
21				
22	22	III October 25, 2007 to		
23		\		
24	[27] IT IS 30	á		
25	Honorable S Z Judge Samuel Conti	tates District Judge		
26	26 Judge Same			
27	ERN DISTRICT OF CO			
28	28			

Case 3:07-cv-01478-SC Document 37 Filed 10/18/07 Page 3 of 3

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11			
12	By: /S/ Christopher J. McNamara		
13	CHRISTOPHER J. MCNAMARA Counsel for Plaintiffs		
14	DATED: October 15, 2007 MORGAN, LEWIS & BOCKIUS, LLP		
15	Goanna Sax		
16	for		
17	By: /S/ Jami Wintz McKeon JAMI WINTZ MCKEON		
18	Counsel for Defendants		
19	[PROPOSED] ORDER		
20			
21	PURSUANT TO STIPULATION, IT IS HEREBY ORDERED THAT the deadline for		
22	completing the Early Neutral Evaluation session is hereby extended from October 29, 2007 to		
23	December 31, 2007.		
24	DATED: October, 2007		
25	Honorable Samuel Conti, United States District Judge		
26			
27			
28			
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